

REMARKS/ARGUMENTS

This Amendment is being submitted under 37 CFR 1.116 after receipt of the Final Office Action dated June 21, 2005, and is meant to be a complete response thereto. Applicant respectfully requests entry of this Amendment.

Drawings

In the Office Action dated June 21, 2005, the Examiner indicated that the drawings filed on October 23, 2003 had been excepted by the Examiner. Acceptance of the drawings is acknowledged with appreciation.

Rejection of Claims under 35 U.S.C. 112, second paragraph

In the Office Action the Examiner rejected Applicant's claims 3-4, 6-7, 10-16 and 21-23 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In support of the rejection the Examiner stated:

Claims 21-23 each require the sheet of material to be corrugated and subsequently, folded. This appears to be inconsistent with the preamble as well as the final step which describes the corrugated grass to comprise a plurality of segments when each segment has a plurality of folds. Therefore, the claims are indefinite. Applicant is required to point out to that portion of the specification which provides a teaching of this process of making corrugated decorative grass (Emphasis added).

Further, the difference between slitting the folded corrugated material and cutting the strips is unclear. If Applicant intends

the strips of corrugated material to be cut into segments, the claims should be so drafted.

The before stated rejection of Applicant's claims under 35 U.S.C. 112, second paragraph, as applicable to the claims as amended herein, is respectfully traversed. The preamble of independent claims 21, 22, and 23 has been amended to read " A corrugated decorative grass for use as Easter grass or packing material wherein the corrugated decorative grass is produced by a method comprising a plurality of steps as recited in each of the claims. The amendments to the preamble and to certain elements of independent claims 21, 22, and 23, and thus to the claims which depend therefrom, is not new matter, is proper and should be entered. Accordingly, such is respectfully requested.

In rejecting the Applicant's claims 21-23, the Examiner stated that claims 21-23 each require the sheet of material to be corrugated and subsequently folded. The Examiner further stated that this is inconsistent with the preamble as well as the final step which describes the decorative grass to comprise a plurality of segments wherein each segment has a plurality folds. The Examiner then concluded that the claims were indefinite.

It is respectfully submitted that the claims, as now amended, overcome the indefinite rejection and are in accordance with the specification. Basis for the preamble and each and every element of claims 21-23 is set forth as follows:

Figure 2A supports the preamble in that it shows a schematic of a system for producing the folded corrugated material of Figs. 1A and 1B having a shredding assembly associated therewith for cutting the folded corrugated material into decorative segments. In addition, the Examiner's attention is directed to paragraph [0039] which discloses that the folded corrugated sheet of material 10 and 10A can be produced from a sheet or web of substantially flat material 32 (See Fig. 2A) that is capable of being creased, which is capable of being folded to form the folded corrugated material 10 or 10A, and which can be employed to provide a decorative segment for use as Easter grass or a packing material (Figs. 3a and 3B).

Basis for the step of providing a sheet of material capable of being folded as recited in claim 21 can be found in paragraphs [0039] and [0041] of the specification. Likewise, basis for the steps of corrugating the sheet of material and folding the corrugating sheet of material as recited in the claim can be found in paragraph [0030] and [0054] of the specification. As to the step of slitting a folded corrugated material into a plurality of strips of folded corrugated material, basis for such limitation can be found in paragraph [0051], [0055], and [0057] of the specification. Lastly, the amended step in claim 21 of cutting the plurality of strips of folded corrugated material into segments to provide corrugated decorative grass can be found in paragraphs [0049]-[0051].

In claim 22, as amended, basis for the preamble can be found in paragraphs [0030], [0031] and [0039]. Basis for the step of providing a sheet of material capable of being folded, wherein the sheet of material is defined as recited in claim 22, can be found in paragraph [0039] of the specification.

The step of corrugating the sheet of material to provide a corrugated sheet of material can be found in paragraph [0030] of the specification. The remaining steps of claim 22, as amended, namely, folding the corrugated sheet of material, slitting the sheet of folded corrugated material, and cutting the plurality of strips of folded corrugated material into segments can be found in paragraphs [0059], [0057], [0057], [0030]-[0032] and [0057], respectively.

Support for the preamble of claim 23, as amended, can be found in paragraph 0039 of the specification. As to the various steps of the method for producing the corrugated depth decorative grass, the Examiner's attention is directed to paragraphs [0039]-[0041], [0050], [0052], [0054]-[0057] of the specification.

For the reasons set forth above, it is respectfully submitted that the preamble, as well as the final step of each of claims 21-23 production of the decorative grass, have been amended to overcome the rejection of the Examiner. Further, Applicant has set forth that portion of the specification which describes the process as recited in Applicant's independent claims 21-23, as amended, and thus each and every claim which depends therefrom.

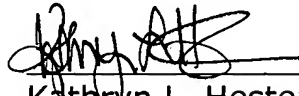
Therefore, is respectfully submitted that the Examiner's rejection of claims 3-4, 6-7, 10-16 and 21-23 under 35 U.S.C. 112, second paragraph, has been overcome and that the claims as now presented are in condition for allowance. Accordingly, is respectfully requested that the Examiner withdraw the rejection of the claims pending in the application and pass such claims to issue.

CONCLUSION

This is meant to be a complete response to the Office Action mailed June 21, 2005. Applicant respectfully submits that each and every rejection of the claims, as now pending, has been overcome, and that such claims are now in condition for allowance. Favorable action is respectfully solicited.

Should the Examiner have any questions regarding this Amendment, or the remarks contained herein, Applicant's agent would welcome the opportunity to discuss such matters with the Examiner.

Respectfully submitted,



Kathryn L. Hester, Ph.D.
Registration Number 46,768
DUNLAP, CODDING and ROGERS, P.C.
Customer No.
P.O. Box 16370
Oklahoma City, Oklahoma 73113
Telephone: (405) 607-8600
Facsimile: (405) 607-8686
E-Mail: kathryn_hester@okpatents.com
Web Site: www.okpatents.com

Agent for Applicant